

ORDINANCE NO. 07-022

ORDINANCE GRANTING A VARIANCE PERMIT TO ALLOW REPLATTING OF PROPERTY INTO TWO SINGLE-FAMILY SUBSTANDARD-SIZED LOTS, EACH WITH A WIDTH OF 57 FEET, WHERE 75 FEET ARE REQUIRED, DEPTH OF 95 FEET, WHERE 100 FEET ARE REQUIRED, AND A TOTAL AREA OF 5,415 SQUARE FEET, MORE OR LESS, WHERE 7,500 SQUARE FEET IS REQUIRED, CONTRA TO HIALEAH CODE § 98-499. **PROPERTY LOCATED AT 201 WEST 16 STREET, HIALEAH, FLORIDA.** REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Board at its meeting of January 10, 2007 recommended approval of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The below-described property is hereby granted a variance permit to allow replatting of property into two substandard-sized lots, each with a width of 57 feet, where 75 feet are required, depth of 95 feet, where 100 feet are required, and a total area of 5,415 square feet, more or less, where 7,500 square feet are required, contra to Hialeah Code § 98-499, which provides in pertinent part: "The minimum building site in the R-1 one-family district shall be on lot . . . containing at least 7,500 square feet for each one-family residence. Such parcels or lots shall have an average width of at least 75 feet and shall also have a minimum average depth of 100 feet." Property located at 201

West 16 Street, Hialeah, Miami-Dade County, Florida, zoned R-1 One Family District,
and legally described as follows:

THE SOUTH ½ OF LOT 17, AND ALL OF LOTS 18
AND 19, BLOCK 1-S, AND THE 6-FOOT ALLEY LYING
WEST AND ADJACENT THERETO CLOSED AND
VACATED FOR PUBLIC USE PURSUANT TO
HIALEAH, FLA., ORDINANCE 94-104 (NOV. 25, 1994),
HIALEAH SECOND STUDIO ADDITION,
ACCORDING TO THE PLAT THEREOF, AS
RECORDED IN PLAT BOOK 9, PAGE 20, OF THE
PUBLIC RECORDS OF MIAMI-DADE COUNTY,
FLORIDA.

Section 2: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to
the extent of such conflict.

Section 3: Penalties.

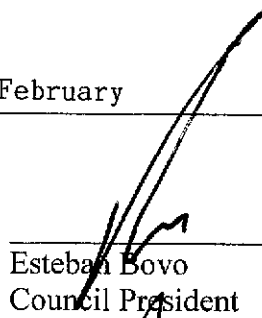
Every person convicted of a violation of any provision of the Code or any
ordinance, rule or regulation adopted or issued in pursuance thereof shall be punished by
a civil penalty not to exceed \$500.00 within the discretion of the court or administrative
tribunal having jurisdiction. Each act of violation and each day upon which any such
violation shall occur shall constitute a separate offense. In addition to the penalty
prescribed above, the city may pursue other remedies such as abatement of nuisance,
injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 4: Severability Clause.

If any phrase, clause, sentence, paragraph or section of this ordinance shall be
declared invalid or unconstitutional by the judgment or decree of a court of competent
jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining
phrases, clauses, sentences, paragraphs or sections of this ordinance.

PASSED and ADOPTED this 13th day of February, 2007.

THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.



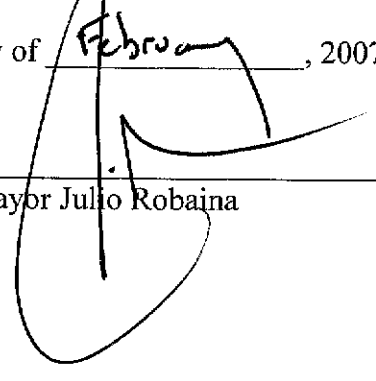
Esteban Bovo
Council President

Attest:

Approved on this 15 day of February, 2007.

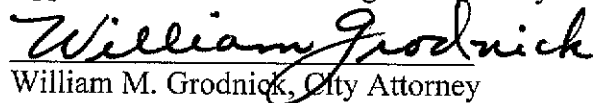


Rafael E. Granado, City Clerk



Mayor Julio Robaina

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

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Ordinance was adopted by a 6-0 vote with Councilmembers Bovo, Caragol, Casals-Muñoz, Hernandez, Miel and Yedra voting "Yes" and Councilmember Gonzalez absent.